

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Governor Jesse Ventura, a/k/a James G.
Janos, an individual,

Civil No. 0:12-cv-00472

Plaintiff,

vs.

**DECLARATION OF
JOHN KELLY**

Chris Kyle, an individual,

Defendant.

I, John Kelly, do state that the following facts are true and correct to the best of my knowledge and belief:

1. I provide this Declaration based on my personal knowledge and information and do so from Pensacola, Florida. I am a resident of Austin, Texas.
2. I am an active-duty Navy SEAL. I am currently in between commands and will soon be attached to Navy Recruiting District Houston. I was previously a part of SEAL Team 3.
3. I am aware that Chris Kyle has written a book titled *American Sniper*, although I haven't read it.
4. I first met Chris when I checked in to SEAL Team 3 in 2005. We are both from Texas, so we hit it off right away. Chris is a guy who likes to laugh and joke but he is very honorable. If he says he's going to do something, he's going to get it done. He's an incredible SEAL, a good friend and a good person. I've never known him to lie to me.

5. Chris became a SEAL about four years before I did, but I went to BUD/S with Mikey Monsoor. Mikey was killed while serving in Iraq and I went to his funeral.

6. After the funeral Mikey's friends and family went to McP's Irish Pub. It was light out when I arrived. I don't believe that Jesse Ventura was at McP's when I got there—I noticed he was there around dusk. I recognized him by sight as I've followed him through his wrestling and acting career. There's no mistaking Ventura for anyone else.

7. After Ventura arrived at McP's, I went up and introduced myself to him. In fact, a lot of the guys I was with approached him. But pretty soon everyone started trying to get away from him.

8. Ventura was acting like an asshole, being very loud, and saying ridiculous, liberal stuff to us. He was badmouthing the president, and saying that the SEALs were over in Iraq murdering people. He was saying that Mikey and others who died in Iraq deserved what they got. He was making statements similar to what I've heard people said to soldiers who came home from Vietnam—calling us baby killers, that sort of thing. It was vile stuff.

9. We were all there to remember Mikey, and tensions were running high. It got to the point where no one really wanted to talk to Ventura. The Force Master Chief's wife even told Ventura to knock it off.

10. Ventura was making me really angry. I was afraid I would lose my temper at Mikey's wake, so I tried to distance myself from him.

11. I was drinking at McP's, but, given the passage of time, I have a pretty clear memory of the day's events. Chris was drinking, too, but not as much as some of the rest of us. Chris was Senior E6, a rank that meant he was sort of coordinating things and serving as a liaison to some of the families who had experienced a loss. He was spending a lot of time with Debbie Lee, whose son Marc had been killed in Iraq just a few weeks before Mikey was killed. Chris was also spending a lot of time with Ryan Job and his family. Ryan had recently been blinded as a result of being shot in Iraq.

12. We had planned all along to leave McP's at some point and go to Danny's, which was our usual hangout, just down the block from McP's. Sometime after dark, it may have been around 9 p.m., Chris and I started rounding up the group, trying to get them to migrate to Danny's. I was herding people down the street, sort of lagging behind and waiting for stragglers.

13. I was standing on the sidewalk. I turned around and saw Chris talking to Ventura. When I turned around to look at them again, I saw Ventura on his back.

14. I didn't see Chris punch Ventura, and I didn't hear Ventura say "You deserve to lose a few" right before Chris punched him. But that statement was in line with the other things Ventura had been saying throughout the day.

15. After Chris punched Ventura, we took off for Danny's—we didn't want to waste any time getting away from McP's because Coronado cops are known for being pretty strict.

16. Once we got to Danny's I asked Chris what had happened. He told everyone that Ventura had mouthed off. He had told Ventura to back off and suggested

they just go their own ways. Chris said that when Ventura then took another step toward him, Chris laid him out. Other people who had been closer to the conversation than me confirmed that Ventura had said "You deserve to lose a few."

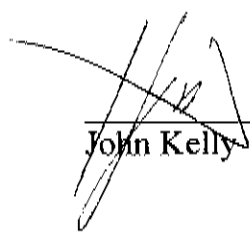
17. The story about Chris punching Ventura spread throughout Danny's—which was packed—and the SEAL community pretty fast. We laughed about it for days and months afterward. It seemed like everyone was talking about. People still talk about it.

18. I don't know what Chris says in his book about Ventura, but Ventura was definitely at McP's. Chris definitely hit him. Ventura's definitely an asshole. He got exactly what he deserved. He should not have been running his mouth like that.

19. After Chris's book came out, a producer from the O'Reilly Factor called me to ask about the fight between Chris and Ventura. I told him basically what I've stated in this declaration. I asked him not to use my name because I'm still on active duty and would have needed approval from WarCom to speak to the media other than as an unnamed source.

I certify under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge and belief.

Dated at Pensacola, Florida, this 14 day of March, 2012.



John Kelly